

## **REMARKS**

This Amendment is fully responsive to the Office Action mailed January 25, 2010. It is respectfully submitted that the claims contain limitations that patentably define over the references cited by the Examiner, for the reasons discussed in these remarks. Therefore, reconsideration and allowance of the pending claims is appropriate and respectfully requested.

### ***Claim Objections***

The Office Action (page 2) objects to claims 1, 10 and 19. It is believed that the amendments to the claims herein overcome the objections.

### ***Rejection of Claims 1-8, 10-17 and 19 Under 35 U.S.C. § 103***

The Office Action (pages 2-8) rejects claims 1-8, 10-17 and 19 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,078,140 to Kwoh (hereafter “Kwoh”) in view of U.S. Patent No. 6,468,226 to McIntyre IV (hereafter “McIntyre”). This group of rejected claims contains three independent claims: 1, 10 and 19. Each of those independent claims requires a guide apparatus having a connector portion coupling the guide apparatus with the associated imaging device and comprising a linear slider mechanism which restricts movement of the guide apparatus to a single linear path, such that a manual force applied by a human operator at a gripping area during insertion of the medical device translates a medical device along a selected linear path as restricted by the linear slider mechanism.

The Office Action concludes (page 3, ¶ 4) Kwoh does not disclose that the medical device is translated along a linear path in response to manual force applied by the associated human operator at a gripping area during insertion of a medical device. All the more so, then, Kwoh does not disclose a connector portion coupling the guide apparatus with the associated imaging device and comprising a linear slider mechanism which restricts movement of the guide apparatus to a single linear path during insertion of a medical device by manual force, as recited in the claims.

The Office Action cites McIntyre as disclosing a remote tissue biopsy apparatus that inserts and slides a biopsy needle along a linear trajectory in response to a manual force applied by a human operator. McIntyre, however, does not disclose a connector portion coupling the guide apparatus with the associated imaging device and comprising a linear slider mechanism which restricts movement of the guide apparatus to a single linear path during insertion of a medical device

by manual force. Rather, McIntyre discloses that a user may depress a trigger 38 to move a drive chain 43 and therefore a reciprocating driving conveyor 22. See McIntyre, col. 9, line 50 to col. 10, line 41.

For at least these reasons, neither Kwoh nor McIntyre discloses a guide apparatus having a connector portion comprising a linear slider mechanism which restricts movement of the guide apparatus to a single linear path, such that a manual force applied by a human operator at a gripping area during insertion of the medical device translates a medical device along a selected linear path as restricted by the linear slider mechanism. Therefore, the rejections of claims 1-8, 10-17 and 19 as being unpatentably obvious over Kwoh in view of McIntyre should be reconsidered and withdrawn.

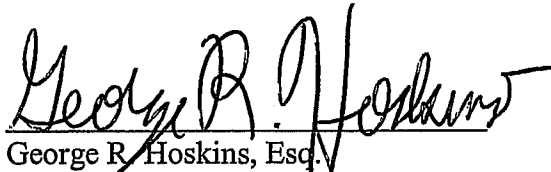
### ***Claim Rejections Under 35 U.S.C. § 103***

Claims 9, 18 and 20 respectively dependent from independent claims 1, 10 and 19. The Office Action (pages 5-6) rejects each of these dependent claims under 35 U.S.C. § 103(a) as being unpatentable over Kwoh in view of McIntyre (discussed above in connection with the independent claims), further in view of U.S. Patent No. 3,893,813 to Johnson (hereafter "Johnson"). In each rejection, Kwoh and McIntyre were relied upon as teaching the limitations of the parent independent claims, and Johnson was cited as teaching the limitations of claims 9, 18 and 20. For at least the reasons identified above, however, the combination of Kwoh and McIntyre does not disclose each and every limitation of independent claims 1, 10 and 19. Johnson does not cure the deficiencies of Kwoh and McIntyre. Thus, it is respectfully submitted that the obviousness rejections of the dependent claims should be reconsidered and withdrawn.

### ***Conclusion***

This Amendment is fully responsive to the Final Office Action mailed January 25, 2010. It is respectfully submitted that the claims contain limitations that patentably define over the references cited by the Examiner, for the reasons provided in the remarks above. Therefore, reconsideration and allowance of the pending claims is appropriate and respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "George R. Hoskins", is written over a horizontal line.

George R. Hoskins, Esq.

Registration No. 46,780

Calfee, Halter & Griswold LLP

800 Superior Avenue, Suite 1400

Cleveland, Ohio 44114

(216) 622-8200